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Paper No. 5

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APR 15 2004

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

In re Application of)
Stephen Paul Maginas)
Application No. 10/092,074)
Filed: March 6, 2002)
For: **DEVICE AND METHOD FOR**)
REPETITIVE COMMUNICATION OF)
MESSAGES)

DECISION ON PETITION
TO MAKE SPECIAL


This is a decision on the petition to make special filed March 6, 2002 pursuant to 37 C.F.R. §102(c) and M.P.E.P. § 708.02(VI): Energy.

A grantable petition under 37 C.F.R. §1.102(c), and M.P.E.P. §708.02, Section VI, must be accompanied by a showing that the application is for an invention which materially contributes to (A) the discovery or development of energy resources, or (B) the more efficient utilization and conservation of energy resources. Examples of inventions in category (A) would be developments in fossil fuels (natural gas, coal, and petroleum), nuclear energy, solar energy, etc. Category (B) would include inventions relating to the reduction of energy consumption in combustion systems, industrial equipment, household appliances etc. Such petitions should be accompanied by statements under 37 C.F.R. § 1.102 by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the invention materially contributes to category (A) or (B) set forth above.

The petitioner has met all the above-listed requirements. Accordingly, the petition is **GRANTED**.

The application will retain its special status throughout its entire prosecution, including any appeal to the Board of Patent Appeals and Interferences, subject only to diligent prosecution by the applicant.

It is noted that the application has already been reviewed and that there is an outstanding Office action mailed January 16, 2004 (paper No. 4). The application file is being forwarded to TC2600's central files to await a response to the outstanding Office action.


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